

Appl. No. 10/733,706
Amdt. dated July 22, 2005
Reply to Office action of June 2, 2005

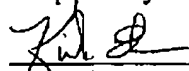
REMARKS

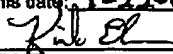
Rejection of the claims under 35 USC §102:

Claims 1-9 and 11-17 have been rejected under 35 U.S.C. 102(b) as being anticipated by Stedman et al (WO 99/31982, 1999). The method taught by Stedman requires perfusion of the limb for 45 minutes. Perfusion requires that at least two vessels in the limb be accessed and that outflow of fluid from the limb occur at a rate similar to the rate at which it is injected. Applicants have amended the claims to more distinctly differentiate their invention from the method taught by Stedman. Specifically, the claims have been amended to cite insertion of a single injector and occluding outflow of fluid from the limb. It is the Applicants' opinion that these limitations do not encompass the perfusion technique taught by Stedman. The rapid injection of the viral vector solution (incorporation of claim 11) and removal of the occlusion within two minutes of virus injection further differentiate the claims from the Stedman prior art, which teaches injection of the viral vector followed by perfusion for 45 minutes. Support for the amendments can be found in the specification. Support for a single injector in a single vessel can be found on page 16 lines 6-13, page 18 lines 2-4, and page 19 lines 25-27. Support for injection of the solution distal to the occlusion can be found on page 7 lines 18-23, and in the examples. Support for release of the occlusion within about two minutes of injecting the viral vector can be found on page 7 lines 20-24, page 15 lines 14-15, page 20 lines 14-15, and page 22 lines 1-2. Applicants respectfully request reconsideration of the § 102 rejection in light of the amendments.

The Examiner's rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1-9, 12-13, 15 and 16 should be allowable.

Respectfully submitted,


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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 7-22-05

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